

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

STEPHEN MCCOLLUM, *et al.*,
Plaintiffs,

v.

BRAD LIVINGSTON, *et al.*,
Defendants.

§
§
§
§
§
§
§
§
§

CIVIL NO. 4:14-CV-3253

Exhibit 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STEPHEN MCCOLLUM, STEPHANIE)
KINGREY, and SANDRA McCOLLUM,)
individually and as heirs at)
law to the Estate of LARRY GENE)
McCOLLUM,)
Plaintiffs,)

vs.)

CIVIL ACTION NO.

3:12-CV-02037

BRAD LIVINGSTON, JEFF PRINGLE,)
AND THE TEXAS DEPARTMENT OF)
CRIMINAL JUSTICE,)
Defendants.)

ORAL AND VIDEOTAPED RULE 30(B)(6) DEPOSITION OF
THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE (ROBERT EASON)
MARCH 26, 2013

ORAL RULE 30(B)(6) DEPOSITION OF THE TEXAS
DEPARTMENT OF CRIMINAL JUSTICE (ROBERT EASON), produced as
a witness at the instance of the Plaintiffs and duly
sworn, was taken in the above-styled and numbered cause on
the 26th day of March, 2013, from 9:42 a.m. to 12:00 noon
and 1:05 p.m. to 6:39 p.m., before Kathleen Nevils,
Certified Shorthand Reporter in and for the State of
Texas, reported by computerized stenotype machine at the
offices of the Attorney General, 300 West 15th St.,
Austin, Texas, pursuant to the Federal Rules of Civil
Procedure and the provisions stated on the record or

Stephen McCollum, et al v.
Brad Livingston, et al.

Robert Eason
March 26, 2013

1 Q. What if they weren't responding to you and they
2 were hot to the touch?

3 MR. GARCIA: Same objection: Speculation.

4 THE WITNESS: What would I expect the staff
5 to do?

6 Q. (By MR. EDWARDS) Yeah.

7 A. They would identify that offender, they would
8 initiate ICS and they call for a supervisor, additional
9 staff, whatever -- whatever we're needing at the time.
10 The supervisor comes down as quick as they can, depending
11 on what goes on in the unit, and assesses the situation,
12 and they have to make that call as to, you know, where
13 we're going to go from here. That's what I expect them to
14 do.

15 Q. Do you, as the Texas Department of Criminal
16 Justice, acknowledge that there are some situations that
17 don't allow the time to have multiple supervisors come and
18 check on someone before an ambulance is called?

19 A. I personally -- in my personal experience
20 haven't seen a situation where -- that's just part of our
21 protocol, but I haven't seen that situation where we
22 have -- whatever the case may be, we call for additional
23 staff, a supervisor, and they get down there as quickly as
24 possible and assess the situation.

25 I mean in a prison setting, you've got a

WRIGHT WATSON & ASSOCIATES

(800) 375-4363 3307 Northland Dr., Ste. 185 Austin, TX 78731-4946 (512) 474-4363

01c94668-e863-437c-979f-dc2b61ebab75

APPENDIX 016